

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

AVIS MINIX-CARRIER

V.

TIME WARNER CABLE

§
§
§
§
§

Case No. 1:09-CV-418

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to a United States magistrate judge for pretrial proceedings pursuant to a referral order entered on May 27, 2009. Subsequently, the parties filed a joint motion to dismiss, subject to certain stipulations for which they requested court approval.

The magistrate judge approved the parties' stipulations (Docket No. 16), and recommends that the court now grant the parties' motion to dismiss. Neither party objects. It is, therefore,

ORDERED:

1. The "Joint Motion to Dismiss Without Prejudice and Stipulations" (Docket No. 15) is **GRANTED**.
2. The magistrate judge's report is hereby **ADOPTED** and his order approving the parties' stipulations is **RATIFIED**.
3. The purpose of the referral having been served, the reference to the magistrate judge is **VACATED**.
4. A judgment of dismissal without prejudice will be entered separately.

So **ORDERED** and **SIGNED** this **30** day of **September, 2009**.



Ron Clark, United States District Judge